

June 24, 2021
Item No. 9.1.
204 Ayrshire Street Abandonment

Sponsor: Elizabeth Pedersen, Staff Planner

Reviewed By CBC: City Council

Agenda Caption:Public Hearing, presentation, discussion, and possible action regarding an ordinance vacating and abandoning a 1,973 square foot portion of right-of-way, said portion lying and being situated in the J.E. Scott League, Abstract Number 50 in College Station, Texas, and being a portion of the Ayrshire Street right-of-way as shown on the final plat of the College Park Subdivision recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas.

Relationship to Strategic Goals:

- Core Services and Infrastructure
- Diverse and Growing Economy

Recommendation(s): Staff recommends approval of the abandonment.

Summary:

Abandonment of a 1,973 square foot portion of right-of-way lying and being situated in the J.E. Scott League, Abstract Number 50 in College Station, Texas and being a portion of the Ayrshire Street right-of-way as shown on the final plat of the College Park Subdivision recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas. The right-of-way abandonment is being requested by the applicant to accommodate future redevelopment of the property. Two public utility easements were dedicated by separate instrument for existing public water and electrical infrastructure, but the remainder of the right-of-way is no longer needed.

Budget & Financial Summary: N/A

Attachments:

1. Ordinance
2. Ordinance Exhibit A
3. Ordinance Exhibit B
4. Vicinity Map
5. Location Map
6. Application

ORDINANCE NO. _____

AN ORDINANCE MAKING CERTAIN AFFIRMATIVE FINDINGS AND VACATING AND ABANDONING A 1,973 SQUARE FOOT PORTION OF RIGHT OF WAY, SAID PORTION LYING AND BEING SITUATED IN THE J.E. SCOTT LEAGUE, ABSTRACT NUMBER 50 IN COLLEGE STATION, TEXAS, AND BEING A PORTION OF THE AYRSHIRE STREET RIGHT-OF-WAY AS SHOWN ON THE FINAL PLAT OF THE COLLEGE PARK SUBDIVISION RECORDED IN VOLUME 38, PAGE 602 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS.

WHEREAS, the City of College Station, Texas, has received an application for the vacation and abandonment of a 1,973 square foot portion of right-of-way, said portion lying and being situated in the J.E. Scott League, Abstract Number 50 in College Station, Texas, and being a portion of the Ayrshire Street right-of-way as shown on the final plat of the College Park Subdivision recorded in Volume 38, Page 602 of the Deed Records of Brazos County, Texas, as described in **Exhibit "A"**, attached hereto (such portion hereinafter referred to as the "Right-of-Way"); and

WHEREAS, in order for the Right-of-Way to be vacated and abandoned by the City Council of the City of College Station, Texas, the City Council must make certain affirmative findings; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That after opening and closing a public hearing, the City Council finds the following pertaining to the vacating and abandoning of the Right-of-Way described in **Exhibit "A"** attached hereto and made a part of this ordinance for all purposes.

1. Abandonment of the Right-of-Way will not result in property that does not have access to public roadways or utilities.
2. There is no public need or use for the Right-of-Way.
3. There is no anticipated future public need or use for the Right-of-Way.
4. Abandonment of the Right-of-Way will not impact access for all public utilities to serve current and future customers.
5. Utility infrastructure exists within the Right-of-Way and the City has continuing need for current as well as future public utilities to be located within the Right-of-Way, and said uses are expressly not abandoned herein in those geographic areas where Public Utility Easements as substantially set forth in **Exhibit "B"** attached hereto has been properly executed and recorded.

PART 2: That the Right-of-Way as described in **Exhibit "A"** be abandoned and vacated by the City with the following condition:

1. The Public Utility Easements described in **Exhibit "B"** be retained as recorded in Volume 17083, Page 290 of the Deed of Records of Brazos County, Texas.

PASSED, ADOPTED and APPROVED this _____ day of _____, 20__.

ATTEST:

APPROVED:

City Secretary

Mayor

APPROVED:

City Attorney

FIELD NOTES
AYRSHIRE STREET
RIGHT-OF-WAY ABANDONMENT
0.0453 ACRES

Being all that certain tract or parcel of land lying and being situated in the J.E. SCOTT LEAGUE, Abstract No. 50 in College Station, Brazos County, Texas and being a portion of the Ayrshire Street right-of-way as shown on the final plat of COLLEGE PARK subdivision recorded in Volume 38, Page 602 of the Brazos County Deed Records (B.C.D.R.), and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/8-inch iron rod marking the north corner of this herein described tract and the east corner of Lot 3A, Block 2, COLLEGE PARK SUBDIVISION according to the Replat recorded in Volume 947, Page 345 of the Official Records of Brazos County, Texas (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Ayrshire Street (as monumented);

THENCE: S 28°49'22" E into the right-of-way said Ayrshire Street as shown on the final plat of said COLLEGE PARK subdivision, said line also being currently monumented for a distance of 76.96 feet to a found 3/8-inch iron rod at the west intersection of said Ayrshire Street and the northwest right-of-way line of Angus Avenue (based on a 30-foot width);

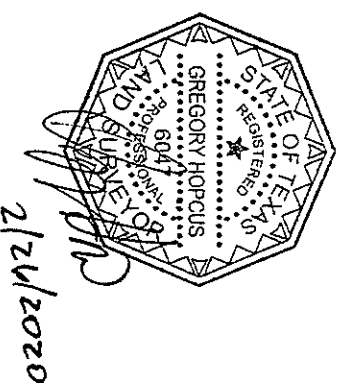
THENCE: S 43°02'17" W along the monumented northwest right-of-way line of said Angus Avenue for a distance of 14.69 feet to a capped 1/2-inch iron rod set for the south corner of this tract and the east corner of a 0.261 acre Tina Irene Austin, Trustee of the DeeAnna Drusendorf Trust tract recorded in Volume 15758, Page 244 (O.R.B.C.), from whence a found 1/2-inch iron rod marking the south corner of the said 0.261 acre tract bears S 43°02'17" W at a distance of 109.07 feet for reference;

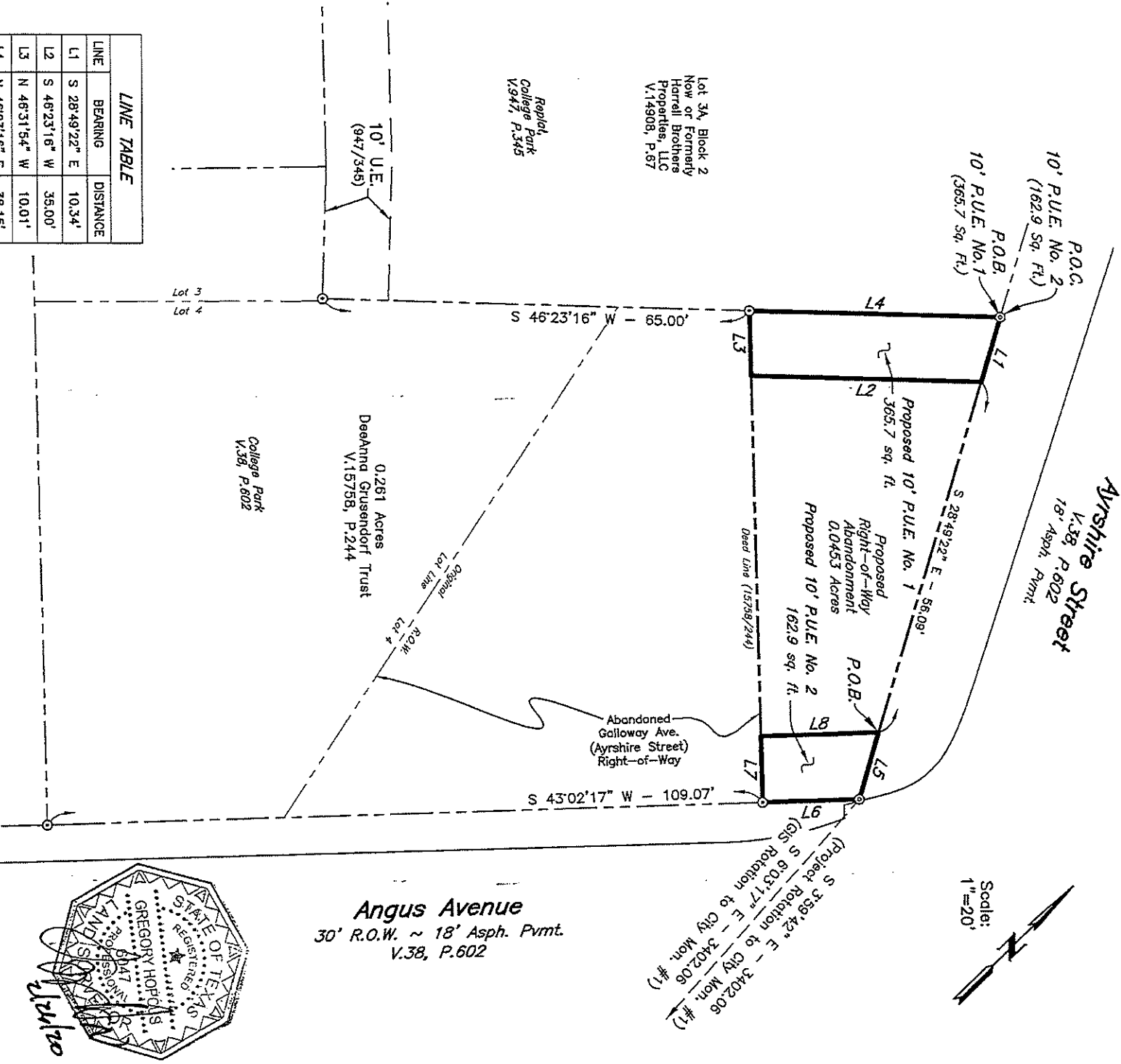
THENCE: N 46°31'54" W along the northeast line of the said 0.261 acre tract for a distance of 75.37 feet to a capped 1/2-inch iron rod set for the west corner of this tract, the north corner of the said 0.261 acre tract and being in the southeast line of said Lot 3A, Block 2, COLLEGE PARK SUBDIVISION (947/345), from whence a found 1/2-inch iron rod marking an interior ell corner in the north line of the said 0.261 acre tract and the south corner of said Lot 3A bears S 46°23'16" W at a distance of 65.00 feet for reference;

THENCE: N 46°23'16" E along the southeast line of said Lot 3A, Block 2 for a distance of 38.15 feet to the **POINT OF BEGINNING** and containing 0.0453 acres (1,973.0 square feet) of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 26, 2020.

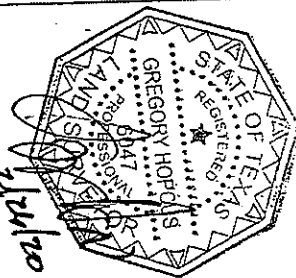
See survey plat on Page 1 of 4
for additional information.





LINE TABLE

LINE	BEARING	DISTANCE
L1	S 28°49'22" E	10.34'
L2	S 46°23'16" W	35.00'
L3	N 46°31'54" W	10.01'
L4	N 46°23'16" E	38.15'
L5	S 28°49'22" E	10.52'
L6	S 43°02'17" W	14.89'
L7	N 46°31'54" W	10.00'
L8	N 43°02'17" E	17.89'



LEGEND

- ⊙ — 1/2" Iron Rod Found (GM)
 - ⊙ — 3/8" Iron Rod Found (GM)
 - ⊙ — Point of Beginning
 - ⊙ — Point of Commencing
 - Public Utility Easement
 - Utility Easement
 - Controlling Monument
- ORIGIN OF BEARING SYSTEM: The bearing system is True North based on GPS observations. Bearings and distances rotated to Grid North using reference angle of 2°03'35" in a counter-clockwise direction.
- See Pages 2 & 3 of 3 for Field Notes prepared with this survey plat.

ORDINANCE EXHIBIT "B"

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

PUBLIC UTILITY EASEMENT

DATE: May 27, 2021

GRANTOR: TINA IRENE AUSTIN, TRUSTEE OF THE DEEANNA GRUSENDORF TRUST CREATED UNDER THE WILL OF JAMES HERMAN MITCHELL

GRANTOR'S MAILING ADDRESS: 15124 Bardwell Lane
(including County) Collin County
Frisco, Texas 75035

GRANTEE: CITY OF COLLEGE STATION, TEXAS

GRANTEE'S MAILING ADDRESS: P. O. Box 9960
(including County) Brazos County
College Station, Texas 77842

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration.

PROPERTY:

Basement No. 1

All that certain tract or parcel of land containing 365.7 square feet of land, more or less, lying and being situated in the J. E. Scott League, Abstract No. 50, in College Station, Brazos County, Texas, and being a portion of the Ayrshire Street right-of-way as shown on the final plat of College Park Subdivision recorded in Volume 38, Page 602, of the Deed Records of Brazos County, Texas; said 365.7 square foot tract of land delineated as Basement No. 1, being more particularly described by metes and bounds and shown on survey diagram marked **EXHIBIT A** attached hereto and made a part hereof for all intents and purposes.

ORDINANCE EXHIBIT "B"

Easement No. 2

All that certain tract or parcel of land containing 162.9 square feet of land, more or less, lying and being situated in the J. E. Scott League, Abstract No. 50, in College Station, Brazos County, Texas, and being a portion of the Ayrshire Street right-of-way as shown on the final plat of College Park Subdivision recorded in Volume 38, Page 602, of the Deed Records of Brazos County, Texas; said 162.9 square foot tract of land delineated as Easement No. 2, being more particularly described by metes and bounds and shown on survey diagram marked **EXHIBIT A** attached hereto and made a part hereof for all intents and purposes.

This conveyance shall grant the rights herein specified only as to that portion of the above-described Property more particularly described on the attached **EXHIBIT A**, known as the "Easement Areas," and any additional area outside the Easement Areas necessary to install and attach equipment, guy wires, and anchors necessary and incident to the uses of the Easement Areas to erect, construct, install, and thereafter use, operate, inspect, repair, maintain, reconstruct, modify and remove the following:

- Electric transmission and distribution lines;
- Water lines and sanitary sewer lines, connecting lines, access facilities, and related equipment;
- Storm sewers and collection facilities;
- Television, telephone, and communications lines;
- Drainage ditches, drainage pipes and all other drainage structures, surface and subsurface;

upon, over, and across the said Property as described and any ways, streets, roads, or alleys abutting same; and to cut, trim, and control the growth of trees and other vegetation on and in the Easement Areas or on adjoining property of GRANTOR, which might interfere with or threaten the operation and maintenance of any public utility equipment, accessories, or operations. It being understood and agreed that any and all equipment and facilities placed upon said Property shall remain the property of GRANTEE.


GRANTOR hereby expressly acknowledges that it is the owner of this property.

GRANTOR expressly subordinates all rights of surface use, incident to the mineral estate owned by GRANTOR, to the above-described uses of said surface by GRANTEE. GRANTOR will provide GRANTEE with the names and addresses of all lenders, if any, and agrees to lender's subordinations on behalf of GRANTEE, if any.

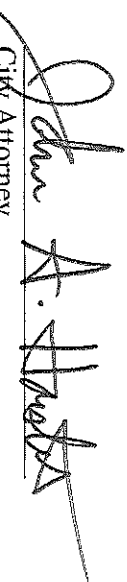
RESERVATIONS AND RESTRICTIONS: NONE.

ORDINANCE EXHIBIT "B"

TO HAVE AND TO HOLD, the rights and interests herein described unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, forever, and GRANITOR does hereby bind herself, her heirs, executors and administrators to warrant and forever defend, all and singular, these rights and interests unto the CITY OF COLLEGE STATION, TEXAS, and its successors and assigns, against every person whomsoever lawfully claiming, or to claim same, or any part thereof.


TINA IRENE AUSTIN, TRUSTEE OF THE
DEANNA GRUSENDORF TRUST CREATED
UNDER THE WILL OF JAMES HERMAN
MITCHELL

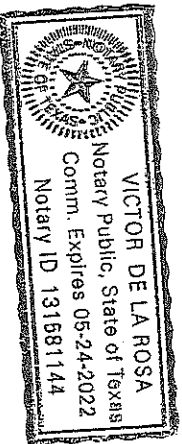
**APPROVED AS TO FORM
THIS DOCUMENT MAY NOT
BE CHANGED WITHOUT
RE-SUBMISSION FOR APPROVAL.**



City Attorney

THE STATE OF TEXAS
COUNTY OF COLLIN

ACKNOWLEDGMENT

This instrument was acknowledged before me on this 27 day of May, 2021, by TINA IRENE AUSTIN, TRUSTEE OF THE DEANNA GRUSENDORF TRUST CREATED UNDER THE WILL OF JAMES HERMAN MITCHELL.





NOTARY PUBLIC in and for the State of Texas

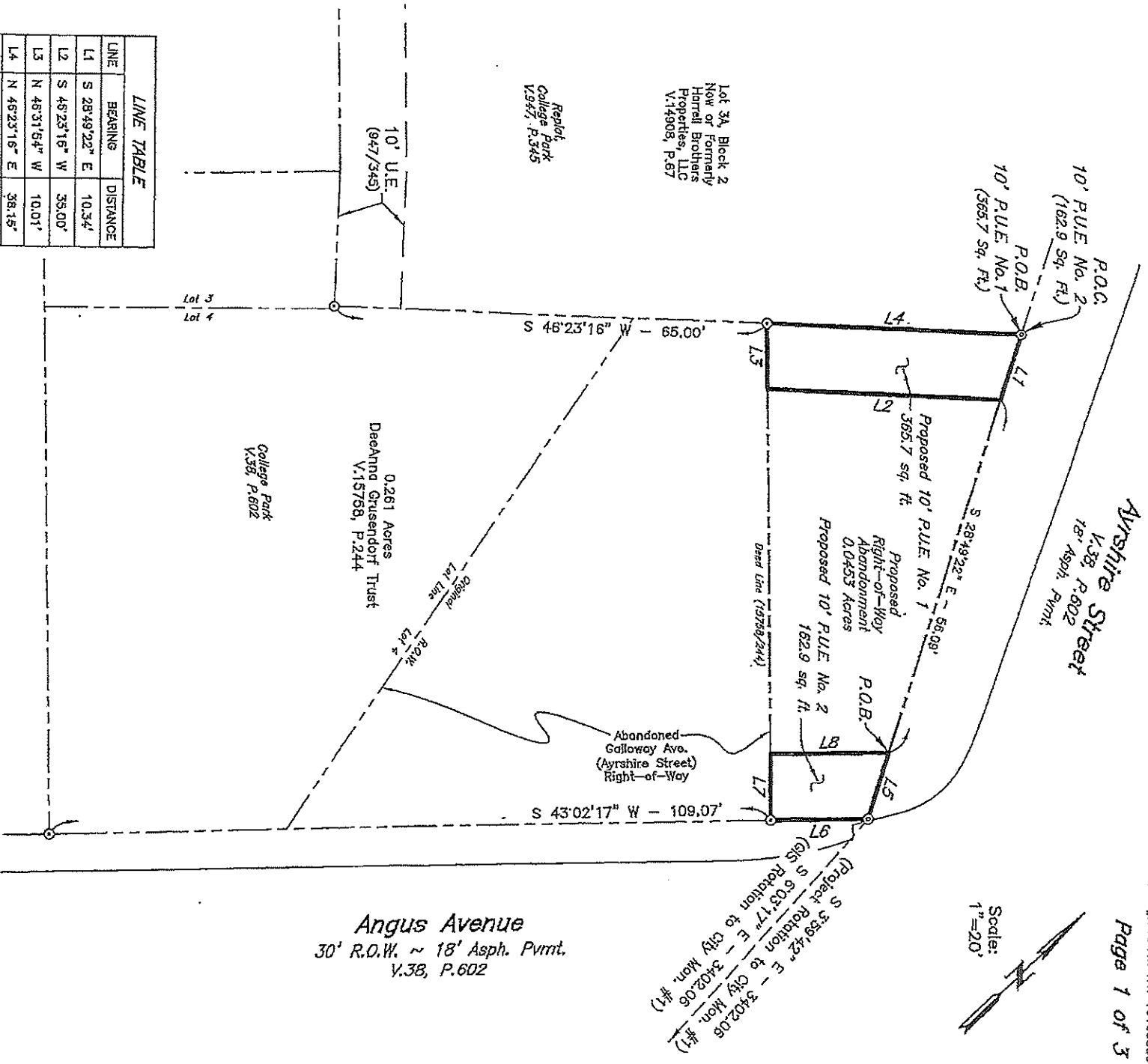
PREPARED IN THE OFFICE OF:
City of College Station
Legal Department
P. O. Box 9960
College Station, TX 77842-9960

AFTER RECORDING, RETURN TO:
City of College Station
Legal Department
P. O. Box 9960
College Station, TX 77842-9960

EXHIBIT A

McCLURE & BROWNE ENGINEERING/SURVEYING, INC. • 1008 Woodcreek Drive, Suite 103 • College Station, Texas 77845 • (979) 693-2838
 Ayrshire ROW Abandonment 001-01

Page 1 of 3
 Texas Firm Registration No. 101035300



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 28°49'22" E	10.34'
L2	S 45°23'16" W	35.00'
L3	N 45°31'54" W	10.01'
L4	N 45°23'16" E	38.15'
L5	S 28°49'22" E	10.82'
L6	S 43°02'17" W	14.89'
L7	N 46°31'54" W	10.00'
L8	N 43°02'17" E	17.89'

ORIGIN OF BEARING SYSTEM: The bearing system is True North based on GPS observations. Bearings and distances related to Grid North using reference angle of 2°03'35" in a counter-clockwise direction.

See Pages 2 & 3 of 3 for Field Notes prepared with this survey plat.

LEGEND

- ⊙ --- 1/2" Iron Rod Found (GN)
- ⊙ --- 3/8" Iron Rod Found (GN)
- P.O.B. --- Point of Beginning
- P.O.C. --- Point of Commencing
- P.U.E. --- Public Utility Easement
- U.E. --- Utility Easement
- CM --- Controlling Monument

EXHIBIT A

FIELD NOTES
PROPOSED 10-FOOT WIDE PUBLIC UTILITY EASEMENT NO. 1
365.7 SQUARE FEET

Being all that certain tract or parcel of land lying and being situated in the J.E. SCOTT LEAGUE, Abstract No. 50 in College Station, Brazos County, Texas and being a portion of the Ayrshire Street right-of-way as shown on the final plat of COLLEGE PARK subdivision recorded in Volume 38, Page 602 of the Brazos County Deed Records (B.C.D.R.), and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/8-inch iron rod marking the north corner of this herein described parcel and the east corner of Lot 3A, Block 2, COLLEGE PARK SUBDIVISION according to the Replat recorded in Volume 947, Page 345 of the Official Records of Brazos County, Texas (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Ayrshire Street (as monumented);

THENCE: S 28°49'22" E into the right-of-way said Ayrshire Street as shown on the final plat of said COLLEGE PARK subdivision for a distance of 10.34 feet to a point for the east corner of this parcel, from which a found 3/8-inch iron rod marking the west intersection of said Ayrshire Street and the northwest right-of-way line of Angus Avenue (based on a 30-foot width) bears S 28°49'22" E at a distance of 66.61 feet for reference;

THENCE: S 46°23'16" W into and through the right-of-way said Ayrshire Street for a distance of 35.00 feet to a point for the south corner of this parcel, said point being in the northeast line of the said 0.261 acre Tina Irene Austin, Trustee of the DeAnna Drusendorf Trust tract recorded in Volume 15758, Page 244 (O.R.B.C.);

THENCE: N 46°31'54" W along the northeast line of the said 0.261 acre Drusendorf Trust tract for a distance of 10.01 feet to a found 1/2-inch iron rod for the west corner of this parcel, the north corner of the said 0.261 acre tract and being in the southeast line of said Lot 3A, Block 2, COLLEGE PARK SUBDIVISION (947/345), from whence a found 1/2-inch iron rod marking an interior ell corner in the north line of the said 0.261 acre tract and the south corner of said Lot 3A bears S 46°23'16" W at a distance of 65.00 feet for reference;

THENCE: N 46°23'16" E along the southeast line of said Lot 3A, Block 2 for a distance of 38.15 feet to the POINT OF BEGINNING and containing 365.7 square feet of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 26, 2020.

See survey plat on Page 1 of 3
for additional information.

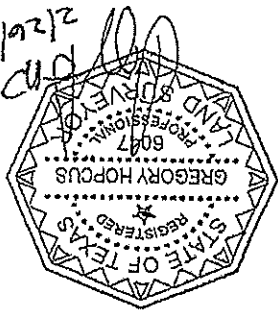


EXHIBIT A

Page 3 of 3

FIELD NOTES
 PROPOSED 10-FOOT WIDE PUBLIC UTILITY EASEMENT NO. 2
 162.9 SQUARE FEET

Being all that certain tract or parcel of land lying and being situated in the J.E. SCOTT LEAGUE, Abstract No. 50 in College Station, Brazos County, Texas and being a portion of the Ayrshire Street right-of-way as shown on the final plat of COLLEGE PARK subdivision recorded in Volume 38, Page 602 of the Brazos County Deed Records (B.C.D.R.), and being more particularly described by metes and bounds as follows:

COMMENCING: at a found 3/8-inch iron rod marking the east corner of Lot 3A, Block 2, COLLEGE PARK SUBDIVISION according to the Replat recorded in Volume 947, Page 345 of the Official Records of Brazos County, Texas (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Ayrshire Street (as monumented);

THENCE: S 28°49'22" E into the right-of-way said Ayrshire Street as shown on the final plat of said COLLEGE PARK subdivision for a distance of 66.43 feet to the POINT OF BEGINNING and the north corner of this herein described parcel;

THENCE: S 28°49'22" E continue along said line for a distance of 10.52 feet to a found 3/8-inch iron rod at the west intersection of said Ayrshire Street and the northwest right-of-way line of Angus Avenue (based on a 30-foot width);

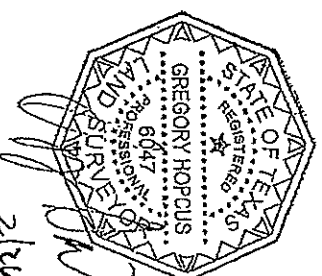
THENCE: S 43°02'17" W along the monumented northwest right-of-way line of said Angus Avenue for a distance of 14.69 feet to a point for the south corner of this herein described parcel, said point also being in the northeast line of the said 0.261 acre Tina Irene Austin, Trustee of the DeeAnna Drusendorf Trust tract recorded in Volume 15758, Page 244 (O.R.B.C.), from whence a found 1/2-inch iron rod marking the south corner of the Drusendorf Trust tract bears S 43°02'17" W at a distance of 109.07 feet for reference;

THENCE: N 46°31'54" W along the northeast line of the said 0.261 acre Drusendorf Trust tract for a distance of 10.00 feet to a point for the west corner of this parcel;

THENCE: N 43°02'17" E into and through the right-of-way said Ayrshire Street for a distance of 17.89 feet to the POINT OF BEGINNING and containing 162.9 square feet of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 26, 2020.

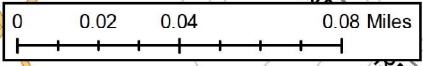
See survey plat on Page 1 of 3
 for additional information.



VICINITY MAP



204 AYRSHIRE ST



LOCATION MAP



OLD JERSEY STREET

AYRSHIRE STREET

DEXTER DRIVE WEST

**PORTION OF ROW
TO BE ABANDONED
0.0453AC**

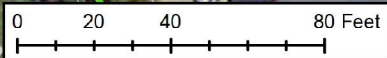
N35B2C002

ANGUS AVENUE

WELSH AVENUE

KERRY STREET

N35B2C003



FOR OFFICE USE ONLY

CASE NO.: _____

DATE SUBMITTED: _____

TIME: _____

STAFF: _____

ABANDONMENT OF PUBLIC RIGHT-OF-WAY/EASEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS:

- Abandonment of Public Right-of-Way/Easement Application Fee. (Refer to the Planning and Development Fee Schedule for all applicable fees)
- Application completed in full. This application form provided by the City of College Station must be used and may not be adjusted or altered. Please attach pages if additional information is provided.
- All exhibits processed (except for Exhibit No. 4, which will be processed by staff).
- Title report for property current within ninety (90) days or accompanied by a Nothing Further Certificate current within ninety (90) days. The report must include applicable information such as ownership, liens, encumbrances, etc.
- For unplatted property, a signed, sealed and dated metes and bounds description and a diagram of the property showing the location of the abandonment.
- For platted property, a copy of the plat showing the lot, block, subdivision, and recording information.

LOCATION OF RIGHT-OF-WAY/EASEMENT TO BE ABANDONED (include legal description):

Ayrshire Street right of Way Abandonment 0.0453 acres
described by attached survey. 204 Ayrshire St. College Station
TX 77840

APPLICANT/PROJECT MANAGER'S INFORMATION (Primary contact for the project):

Name Tina Austin E-mail taustinjaaj@gmail.com

Street Address 15124 Bardwell Ln

City Frisco State TX Zip Code 75035

Phone Number 972 741 0369 Fax Number _____

PROPERTY OWNER'S INFORMATION (ALL owners must be identified. Please attach an additional sheet for multiple owners):

Name Tina Austin for the Pecunia Gruesendorf Trust E-mail taustinjaaj@gmail.com

Street Address: 15124 Bardwell Ln

City Frisco State TX Zip Code 75035

Phone Number 972 741 0369 Fax Number _____

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct. IF THIS APPLICATION IS FILED BY ANYONE OTHER THAN THE OWNER OF THE PROPERTY, this application must be accompanied by a power of attorney statement of the owner. If there is more than one owner, all owners must sign the application or power of attorney. If the owner is a company, the application must be accompanied by proof of authority for the company's representative to sign the application on its behalf.

X Tina Austin
 Signature and title

1/9/2021
 Date

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLEGE STATION:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of College Station harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.
2. Attached, marked Exhibit No. 1, is a sealed metes and bounds description of the area sought to be abandoned, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, is a copy of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.
4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the abandonment.
5. Attached, marked Exhibit No. 4, is the consent of the City of College Station staff to the abandonment.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

Name None E-mail _____

Street Address _____

City _____ State _____ Zip Code _____

Reason consent was not obtained: _____

If objecting, points of objection:

Name _____ E-mail _____

Street Address _____

City _____ State _____ Zip Code _____

Reason consent was not obtained: _____

If objecting, points of objection:

Name _____ E-mail _____

Street Address _____

City _____ State _____ Zip Code _____

Reason consent was not obtained: _____

If objecting, points of objection:

7. That the abandonment will not result in property that does not have access to public roadways or utilities because:

No properties will be adversely affected. They all have access to roads and utilities.

8. That there is no current public need or use for the easement or right-of-way because:

Right of way cannot be used for anything constructive due to adjacent property lot lines. Right of way is not continuous in any direction.

9. That there is no anticipated future public need or use for the easement or right-of-way because:

Right of way is not continuous in any direction. Functionally Obsolete.

10. That all public utilities have access to serve current and future customers because:

Utilities should not be affected

11. Such public right-of-way/easement has been and is being used as follows:

Parking for 204 Ayrshire

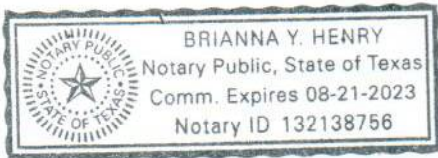
I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Tina Austin
Signature and title

1/9/2020
Date

STATE OF TEXAS §
 § ACKNOWLEDGEMENT
COUNTY OF BRAZOS §

Subscribed and sworn to before me, a Notary Public, this 9th day of January, 2020 by Tina Austin ^{BH}



Brianna Y. Henry
Notary Public in and for the State of Texas

Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayrshire St

EXHIBIT NO. 1

Attached is a sealed copy of the metes and bounds description of the public right-of-way/easement situated in

Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

FIELD NOTES
AYRSHIRE STREET
RIGHT-OF-WAY ABANDONMENT
0.0453 ACRES

Being all that certain tract or parcel of land lying and being situated in the J.E. SCOTT LEAGUE, Abstract No. 50 in College Station, Brazos County, Texas and being a portion of the Ayrshire Street right-of-way as shown on the final plat of COLLEGE PARK subdivision recorded in Volume 38, Page 602 of the Brazos County Deed Records (B.C.D.R.), and being more particularly described by metes and bounds as follows:

BEGINNING: at a found 3/8-inch iron rod marking the north corner of this herein described tract and the east corner of Lot 3A, Block 2, COLLEGE PARK SUBDIVISION according to the Replat recorded in Volume 947, Page 345 of the Official Records of Brazos County, Texas (O.R.B.C.), said iron rod also being in the southwest right-of-way line of Ayrshire Street (as monumented);

THENCE: S 28°49'22" E into the right-of-way said Ayrshire Street as shown on the final plat of said COLLEGE PARK subdivision, said line also being currently monumented for a distance of 76.96 feet to a found 3/8-inch iron rod at the west intersection of said Ayrshire Street and the northwest right-of-way line of Angus Avenue (based on a 30-foot width);

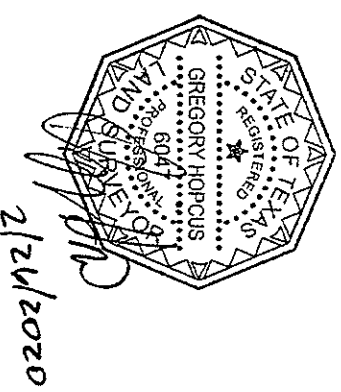
THENCE: S 43°02'17" W along the monumented northwest right-of-way line of said Angus Avenue for a distance of 14.69 feet to a capped 1/2-inch iron rod set for the south corner of this tract and the east corner of a 0.261 acre Tina Irene Austin, Trustee of the DeAnna Drusendorf Trust tract recorded in Volume 15758, Page 244 (O.R.B.C.), from whence a found 1/2-inch iron rod marking the south corner of the said 0.261 acre tract bears S 43°02'17" W at a distance of 109.07 feet for reference;

THENCE: N 46°31'54" W along the northeast line of the said 0.261 acre tract for a distance of 75.37 feet to a capped 1/2-inch iron rod set for the west corner of this tract, the north corner of the said 0.261 acre tract and being in the southeast line of said Lot 3A, Block 2, COLLEGE PARK SUBDIVISION (947/345), from whence a found 1/2-inch iron rod marking an interior ell corner in the north line of the said 0.261 acre tract and the south corner of said Lot 3A bears S 46°23'16" W at a distance of 65.00 feet for reference;

THENCE: N 46°23'16" E along the southeast line of said Lot 3A, Block 2 for a distance of 38.15 feet to the **POINT OF BEGINNING** and containing 0.0453 acres (1,973.0 square feet) of land.

I, Gregory Hopcus, Registered Professional Land Surveyor No. 6047, State of Texas, do hereby certify to the best of my knowledge, information and belief, and in my professional opinion, that this survey is true and correct and agrees with a survey made on the ground under my supervision on February 26, 2020.

See survey plat on Page 1 of 4
for additional information.

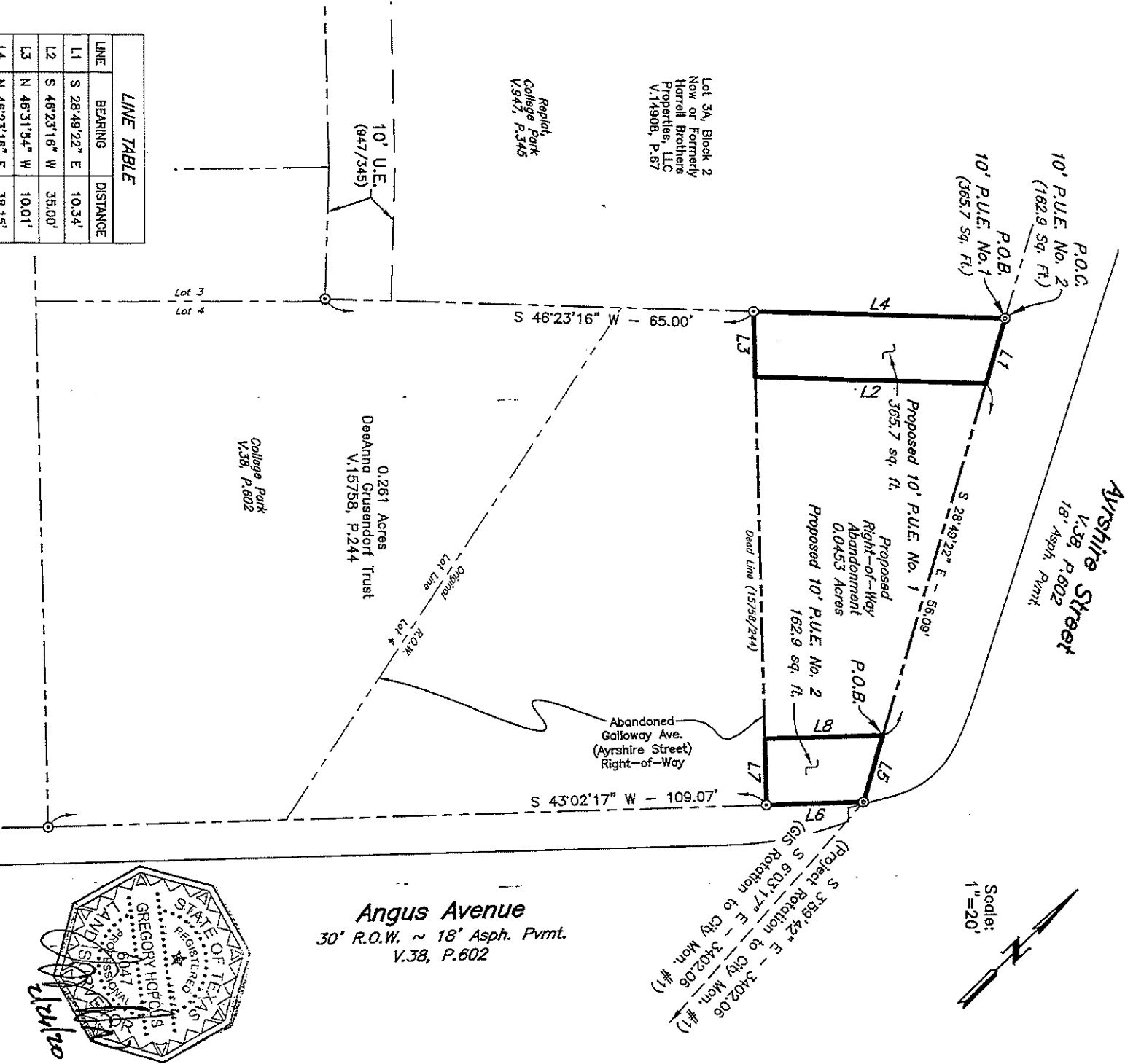


Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayrshire St

EXHIBIT NO. 2

Attached is a copy of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.

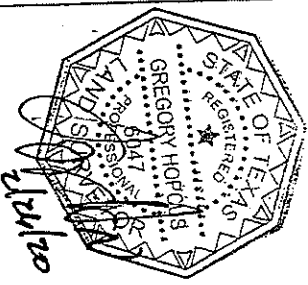


LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 28°49'22" E	10.34'
L2	S 46°23'16" W	35.00'
L3	N 46°31'54" W	10.01'
L4	N 46°23'16" E	38.15'
L5	S 28°49'22" E	10.52'
L6	S 43°02'17" W	14.89'
L7	N 46°31'54" W	10.00'
L8	N 43°02'17" E	17.89'

ORIGIN OF BEARING SYSTEM: The bearing system is True North based on GPS observations. Bearings and distances related to Grid North using reference angle of 2°03'35" in a counter-clockwise direction.

See Pages 2 & 3 of 3 for Field Notes prepared with this survey plat.

- LEGEND**
- ⊙ — 1/2" Iron Rod Found (CM)
 - ⊙ — 3/8" Iron Rod Found (CM)
 - P.O.B. — Point of Beginning
 - P.O.C. — Point of Commencing
 - P.U.E. — Public Utility Easement
 - U.E. — Utility Easement
 - CM — Controlling Monument



Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayshire St

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

ATMOS ENERGY

By: Korey L. Moud
Title: Engineer - Bryan District

VERIZON TELEPHONE COMPANY

By: _____
Title: _____

SUDDENLINK COMMUNICATIONS

By: _____
Title: _____

BRYAN TEXAS UTILITIES

By: _____
Title: _____

Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayrshire St

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

ATMOS ENERGY

By: _____
Title: _____

VERIZON TELEPHONE COMPANY

By: Kevin Moselley
Title: OSP ENGINEERING

SUDDENLINK COMMUNICATIONS

By: _____
Title: _____

BRYAN TEXAS UTILITIES

By: _____
Title: _____

Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayshire St

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

ATMOS ENERGY

By: _____
Title: _____

VERIZON TELEPHONE COMPANY

By: _____
Title: _____

SUDDENLINK COMMUNICATIONS

By: *Dan Smith*
Title: Sr. Supervisor - Ops Construction 12.11.2020

BRYAN TEXAS UTILITIES

By: _____
Title: _____

Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Anyshire St

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

ATMOS ENERGY

By: _____
Title: _____

VERIZON TELEPHONE COMPANY

By: _____
Title: _____

SUDDENLINK COMMUNICATIONS

By: _____
Title: _____

BRYAN TEXAS UTILITIES

By: Shawndra Curry
Title: Division Manager of Engineering & System Planning

Application for Abandonment of a Public Right-of-Way / Easement

Location: 204 Ayrshire St. ROW Abandonment

EXHIBIT NO.4

The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College Station and see no objection to the requested abandonment from the City's standpoint.

X 

City Engineer
City of College Station

X 

Building Official
City of College Station

X 

Zoning Official
City of College Station

X 

Fire Marshal
City of College Station

X 

Electric Department
City of College Station

X 

Water Services Department
City of College Station

X 

Public Works Director
City of College Station

Application for Abandonment of
a Public Right-of-Way/Easement

Location: 204 Ayshire St

EXHIBIT NO. 5


The undersigned, owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby consent to such abandonment.

NAME: Harrell Brothers Properties LLC
ADDRESS: 202 Ayshire St College Station, TX 77840
615 W Lamar St
McKinney, TX 75069

NAME: _____
ADDRESS: _____

NAME: _____
ADDRESS: _____

NAME: _____
ADDRESS: _____


James Harrell
10/20/2020